

House File 519 - Introduced

HOUSE FILE _____
BY BAUDLER

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act providing for the impoundment and seizure of motor
2 vehicles for certain violations of the state's financial
3 responsibility laws, creating an uninsured motorist victim
4 restitution fund, and making an appropriation.
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
6 TLSB 2276YH 83
7 av/nh/24

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1 1 Section 1. Section 321.89, subsection 1, paragraph a,
2 subparagraph (4), Code 2009, is amended to read as follows:
3 (4) A vehicle that has been legally impounded by order of
4 a police authority and has not been reclaimed for a period of
5 ten days, or for the period required under section 321A.32B.
6 However, a police authority may declare the vehicle abandoned
7 within the ten-day period by commencing the notification
8 process in subsection 3.
9 Sec. 2. NEW SECTION. 321A.32B MOTOR VEHICLE IMPOUNDMENT
10 == FORFEITURE.
11 1. If a peace officer stops a motor vehicle and discovers
12 that the motor vehicle owner's driver's license, operating
13 privilege, or registration has been suspended, revoked, or
14 barred for an offense under this chapter, the peace officer
15 shall immediately cause the motor vehicle to be impounded.
16 a. For a first offense under this chapter, the person or
17 agency having physical possession of the impounded motor
18 vehicle shall release the vehicle to the owner upon payment of
19 all towing costs, storage costs not in excess of fifteen
20 dollars per day, and administrative fees associated with
21 impoundment of the motor vehicle.
22 b. For a second offense under this chapter, the person or
23 agency having physical possession of the impounded motor
24 vehicle shall not release the vehicle to the owner until all
25 towing costs, storage costs, and administrative fees have been
26 paid and the owner provides satisfactory proof to the person
27 or agency that the owner's driver's license, operating
28 privilege, or registration, as applicable, has been
29 reinstated.
30 c. For a third offense under this chapter, the motor
31 vehicle shall be seized and forfeited to the state pursuant to
32 chapters 809 and 809A. The money collected by the department
33 from the sale of motor vehicles forfeited pursuant to this
34 paragraph shall be transmitted to the treasurer of state who
35 shall deposit the money in the uninsured motorist victim
1 restitution fund created in subsection 2 to compensate victims
2 of motor vehicle accidents with uninsured motorists.
3 2. The uninsured motorist victim restitution fund is
4 created in the state treasury under the control of the
5 department. The fund shall consist of all moneys deposited in
6 the fund from proceeds of the sale of motor vehicles seized
7 and forfeited under subsection 1, paragraph "c". Moneys
8 deposited in the fund are appropriated and shall be expended
9 by the department for the restitution of victims of motor
10 vehicle accidents with uninsured motorists, as provided by
11 rules adopted by the department under chapter 17A.
12 Notwithstanding section 12C.7, subsection 2, interest or
13 earnings on moneys deposited in the fund shall be credited to
14 the fund and any unencumbered or unobligated moneys in the
15 fund at the end of the fiscal year shall not revert but shall
16 remain in the fund.
17 3. Impoundment or seizure of a vehicle under this section
18 may occur in addition to any criminal penalty imposed under

2 19 this chapter for the underlying criminal offense.

2 20 EXPLANATION

2 21 This bill provides for the impoundment and seizure of motor
2 22 vehicles for certain violations of the state's financial
2 23 responsibility laws.

2 24 The bill provides that if a peace officer stops a motor
2 25 vehicle and discovers that the motor vehicle owner's driver's
2 26 license, operating privilege, or registration has been
2 27 suspended, revoked, or barred for a violation of the state's
2 28 motor vehicle financial responsibility laws under Code chapter
2 29 321A, the peace officer shall immediately cause the motor
2 30 vehicle to be impounded.

2 31 For a first offense, the owner may obtain the release of
2 32 the impounded motor vehicle upon payment of all towing costs,
2 33 storage costs not exceeding \$15 per day, and any
2 34 administrative fees associated with the impoundment. For a
2 35 second offense, the owner may obtain release of the impounded
3 1 motor vehicle upon payment of all costs and fees and upon
3 2 provision of satisfactory proof that the owner's driver's
3 3 license, operating privilege, or registration has been
3 4 reinstated. For a third offense, the owner's motor vehicle
3 5 shall be seized and forfeited to the state pursuant to Code
3 6 chapters 809 and 809A.

3 7 An uninsured motorist victim restitution fund is created in
3 8 the state treasury to receive deposits of moneys collected by
3 9 the department of transportation from selling seized and
3 10 forfeited vehicles. The money is appropriated and shall be
3 11 used to compensate victims of motor vehicle accidents with
3 12 uninsured motorists as provided by rules adopted under Code
3 13 chapter 17A.

3 14 The impoundment or seizure of a motor vehicle pursuant to
3 15 the bill is in addition to any criminal penalty imposed under
3 16 Code chapter 321A for the underlying criminal offense.

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